



Planning Board

Regular Meeting

~ Minutes ~

347 Old Niskayuna Road
Latham, NY 12110

<https://www.colonie.org/>

Sean M. Maguire
(518) 783-2741

Tuesday, March 12, 2024

6:00 PM

Public Operations Center

1. Call to Order

The meeting was called to order at 6:03 p.m. by Chair Steve Heider. The roll was called. Six members were present. One member was absent (Paul Leo).

Also present: Planner Andy Acker (PEDD), Assistant Planner Lauren Dryburgh (PEDD), and TDE Devin Dickinson (CHA).

Attendee Name	Title	Status	Arrived
Steven Heider	Chairman	Present	
Michael J Malone	Board Member	Present	
Kevin M. Bronner	Board Member	Present	
Paul A. Leo	Board Member	Absent	
Ricahrd Barlette	Board Member	Present	
Henry J. Rosenzweig	Board Member	Present	
Joanne Maloy	Board Member	Present	
Sean M. Maguire	Director	Present	
Matthew Millea	Counsel	Present	

2. Report of the Planning and Economic Development Director

There was no report.

3. Regular Business

a. 14 & 16 Vermont View Drive.

Applicant: Robert Abbatiello, represented by ABD Engineers. Concept renewal request for the proposed construction of a new 2-story 15 Unit multifamily building, accompanied by a parking lot, utilities, landscaping, lighting and extension of a sewer line. The site is zoned Multifamily (MFR). TDE: CHA. (PL-20-00013).

Luigi Palleschi from ABD Engineers presented the project. This concept was approved previously and expired. The applicant proposes creating a two lot subdivision on the 2.79 acre parcel to carve out the single family home already existing on the parcel. They propose adding an L-shaped mixed-use building on the remaining 2.3 acres.

Devin Dickinson from CHA provided TDE comments on the project including suggestions to incorporate more trees into the plan and to bolster the landscaping around the parking area. He

suggested that a tree survey might be prudent to save some of the large trees on the site. He also asked for more details about the plan for the south parking lot and about walk outs for the apartments.

The Board discussed concerns that this plan appears to be slightly different than what they had previously seen. They shared concerns about the plan showing development up to about 11 feet from the property line and clear cutting potentially occurring in that area. There were also concerns about the parking lot abutting the property line. To address the concerns about the parking lot, they suggested decreasing the overall amount of parking since what was presented is in excess to what is required. The Board also asked for architectural renderings before going to the concept plan stage.

- i. **Motion To:** Approve concept plan renewal request.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Kevin M. Bronner, Board Member
SECONDER:	Henry J. Rosenzweig, Board Member
AYES:	Heider, Malone, Bronner, Barlette, Rosenzweig, Maloy
ABSENT:	Paul A. Leo

- b. **5 Arrowhead Ln. Straight Line Industries Garage.**

Applicant: Straight Line Industries, LLC, represented by Brett Steenburgh, P.E. PLLC. Sketch plan update for a proposed 12,000 Square foot garage. The site is zoned Industrial. TDE: CHA. (PL-21-00003).

Matt Sibalis presented the project on behalf of Brett Steenburgh from Straight Line Industries. The plan has been revised. The applicant proposes a 12,000 sq. ft. garage to store commercial vehicles that are currently being parked in a lot on the site, as well as some paints and chemicals for projects. The site faces the Colonie landfill and is industrial, but the applicant understands the Board's previous aesthetic concerns about the site and has added elements to the building to improve the appearance of its facade and landscaping.

Devin Dickinson from CHA provided TDE comments on the project including questions about the site being a designated wetland and if there were concerns about stormwater retention on the site. There were also questions about the nature of the vehicles being stored in the garage as it appears the garage is technically over the wetland area.

The Board discussed further concerns about the aesthetics of the building. They gave suggestions for improving the overall appearance of the building.

- i. **Sketch plan update, no action taken.**

c. 829/831 Loudon Rd. ALDI Latham.

Applicant: ALDI Inc, represented by APD Engineering and Architecture. Sketch plan review for proposed construction of new 20,644 square foot ALDI grocery store. The site is zoned Commercial Office Residential. TDE: CHA. (PL-24-00036).

Christopher Kambar from APD Engineering presented the project.

Devin Dickinson from CHA provided TDE comments on the project including concerns about water service, as the current water service would not reach the building as proposed and a hydrant needs to be installed. There were also concerns about the entrances and exits - particularly about the entrance and exit being so close to each other. This project will require waivers. A waiver will be required as this project exceeds the maximum 25 ft. setback from Loudon Rd. A waiver will also be required for the parking as presented. An 80% road frontage build out (fencing, landscaping) is also required. There were questions about signage planned to limit entrance and exits from Old Loudon Rd. as it is a residential area and whether there will be through-traffic through that neighborhood. There was also a question about grocery cart storage on the site as there will only be one cart corral. There were also comments about creating interior greenspace islands within the parking area to meet requirements.

The Board discussed traffic flow concerns, concerns about limited cart storage, and plans for the north part of the site. They inquired if there is a plan to prohibit taking a right turn when exiting the site. They also had concerns about parking as the applicant wants to request a waiver to only include 96 parking spots instead of the 103 required by the Code. There was a discussion about how many parking spots are at the ALDI on Central Ave. in Colonie and whether that amount feels adequate. There were also concerns that neighbors may have concerns about traffic on Old Loudon Rd. and generally in the residential neighborhood behind the site. They reiterated that Old Loudon Rd. is restricted to truck traffic. The Board had concerns about whether this is the best spot for this redevelopment.

1. Sketch plan update, no action taken.**d. 1103 Loudon Rd. Pillai Mixed Use.**

1103 Loudon Rd. Pillai Mixed Use. Applicant: Sudhakar Pillai, represented by Arico Associates. Waiver request for redevelopment site project proposing construction of a 3,600 square foot mixed-use building. The site is zoned Neighborhood Commercial Office Residential. No TDE assigned. (PL-23-00003).

Dominick Arico from Arico Associates presented the project. The applicant is requesting a waiver to not require the building present its main facade and entrance toward the street (Loudon Rd.). The applicant previously received a variance to add four apartments on the second floor of the building. They have revised the entry facade based on previous comments and believe they otherwise fit the NCOR zoning requirements.

Sean Maguire, the PEDD Director, provided comments as there is no TDE for this project. The Director spoke in support of granting this waiver as this change is not entirely inconsistent with other buildings in the area.

The Board Chairman announced that he has a business relationship with the applicant's family and will recuse himself from a future vote but will still provide comments on this waiver request. The Board discussed the project including concerns about tenant balconies above the commercial areas, questions about signage for the site, and concerns about the commercial and residential parking areas being mixed. There were questions about the orientation of the elevations provided. There was also a suggestion to add wrapping to the side of the building to improve the overall appearance.

i. Motion To: Approve waiver request.

COMMENTS - Current Meeting:

WHEREAS, A 3,600 SF two (2) story building on a site presently occupied by a 1,500 SF one-and-a-half (1.5) story commercial building, is proposed by Sudhakar Pillai (the "applicant"). The parcel is a .053-acre project site. The project property is located in the NCOR (Neighborhood Commercial Office Residential) Zoning District. The project use and size as proposed will be generally consistent with existing adjacent land uses. The project site is within the Boght Rd / Columbia Street Area GEIS study boundary.

WHEREAS, the applicant is requesting 1 waiver from the Town of Colonie Land Use Law, Article IX -Chapter 190-42, Design Standards, for the Neighborhood Commercial Office Residential (COR) zone related to:

1. (WAIVER) To not require the building present its main facade and entrance toward the street (Loudon Rd).

WHEREAS, the Town of Colonie Planning Board (the "Board") may waive these standards to the extent it deems necessary in order to address the unique nature of an individual site and secure reasonable development of the site. In such case, the applicant must establish that there are no practical alternatives to the proposed waiver that would conform to the standard, and the Board shall issue a written Finding stating the extent and justification of the waiver; and

WHEREAS, the use of the site is suitable for, and typical of prior approved commercial uses along

Loudon Rd in the Town; and

NOW, THEREFORE BE IT

RESOLVED, that the Board hereby finds that the extent of the requested individual waivers is not considered substantial; and be it further

RESOLVED, that the Board finds the applicant has established that there are no practical alternatives to the proposed waivers that would conform to the standards and that the waivers are necessary in order to secure reasonable, orderly and safe development of the project site; and be it further

RESOLVED, that the Board hereby issues a waiver from the requirement for the building to present its main facade and entrance toward the street; and be it further

RESOLVED, that these Waiver Findings be a condition of site plan approval of the application and be kept in the project file in the Office of the Planning and Economic Development Department.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Steven Heider, Kevin M. Bronner
SECONDER:	Henry J. Rosenzweig, Board Member
AYES:	Heider, Malone, Bronner, Barlette, Rosenzweig, Maloy
ABSENT:	Paul A. Leo

e. 804 Loudon Road. Bank of America.

804 Loudon Road. Bank of America. Applicant: Baldwin 820 Realty LLC, represented by Stonefield Engineering & Design. Waiver request for front and rear setback proposed parking lot expansion. Site is zoned Highway Commercial Office Residential (HCOR). No TDE assigned. (PL-23-00128).

A representative spoke on behalf of the applicant. The applicant is requesting two waivers. Waivers include minimum 15 ft. front setback and minimum 10 ft. rear parking setback. Incentive zoning would also apply due to this proposal reducing greenspace below the 35% minimum required for the site. The representative indicated that the bank had received complaints from customers about a lack of available parking spaces, but could not provide details on how many complaints had been received.

Andy Acker from the Planning Department provided comments as there is no TDE for this project. The Department requested more details from the applicant about why they are requesting an increase in parking spots with the rise of tools like online banking. There were also concerns about removing two mature maple trees from the site in an area with few trees.

The Board also expressed concerns about the need for additional parking, the removal/transplanting of mature trees, and where customers would park while this expansion was in progress. They requested more details on the number of customers the bank has received complaints from. They suggested that perhaps the bank could add 6 new spots instead of 9 and leave the area in the front with the maple trees as it is.

The Board asked the applicant to come back with more information about the customer complaints and a revised plan to review.

i. No action taken.

4. Adjournment

With no further business before the Board, the meeting stood adjourned at 7:22 p.m.

1. Motion To: Adjourn

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Kevin M. Bronner, Board Member
SECONDER:	Michael J Malone, Board Member
AYES:	Heider, Malone, Bronner, Barlette, Rosenzweig, Maloy